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C O N F I D E N T I A L TEL AVIV 002041

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USTR FOR NOVELLI AND SAUMS
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E.O. 12958: DECL: 04/02/2009

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SUBJECT: UNHAPPY ISRAELI TRADE MINISTER REACTS TO POSSIBLE
PRIORITY WATCH LIST DESIGNATION

REF: STATE 71498

Classified By: Ambassador Daniel C. Kurtzer for Reasons 1.4 (B) and (D)

11. (C) Vice Prime Minister and Minister of Industry, Trade and Communications Ehud Olmert called the Ambassador late April 1 to complain about reports that the USG intended to put Israel back on the 301 Priority Watch List. Olmert said such an action would be unjustified. Olmert noted that he had promised the Ambassador and visiting Under Secretary of Commerce Juster that the pharmaceutical data protection issue would be solved. As for the other main IPR issue of concern to the U.S. - national treatment for sound recording rights holders - Olmert said the GOI was in the process of drafting a letter from Minister of Justice Tommy Lapid. That letter would say that the protection of U.S. royalty rights under our bilateral treaty was being studied. The letter would affirm the GOI's intention to protect royalty rights for U.S. music recordings, he said. Olmert said the GOI was very unhappy about being asked to take actions on IPR under the threat of an unfavorable 301 decision, especially in light of the positive actions the GOI has already said it would undertake.

12. (C) The Ambassador noted that the USG had not yet received Lapid's letter, nor had any official decision on data protection been communicated to the USG. The Ambassador also noted that he had been instructed to send a demarche to Minister Olmert and Minister Lapid outlining our IPR concerns (reftel). (Note: That demarche and an accompanying letter from the Ambassador were sent to the ministers on April 2.) The Ambassador advised Minister Olmert to ensure the GOI acted upon our concerns as soon as possible, in order to resolve these contentious IPR problems once and for all.

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KURTZER